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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,723	12/14/2001	Kelan C. Silvester	P13482	5360

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EXAMINER

PHILIPPE, GIMS S

ART UNIT PAPER NUMBER

2613

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/017,723

Applicant(s)

SILVESTER, KELAN C.

Examiner

Gims S Philippe

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

This is a first action in response to application no. 10/017,723 filed on December 14 2001 in which claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Yokota (US Patent no. 6604049).

Art Unit: 2613

Regarding claim 1, Yokota discloses a system comprising an input component to receive an image (See Yokota's Abstract, fig. 2, camera 12, col. 7, lines 35-38), a locator to provide a place stamp associated with the image (See col. 9, lines 37-52), Memory (See memory 25 of fig. 2), and a processor to store the image and the place stamp in the memory in response to a triggering event (See col. 7, lines 42-55, col. 9, lines 45-50).

As per claim 8, most of the limitations of this claim have been noted in the above rejection of claim 1. In addition, Yokota further suggest an handheld camera in fig. 3, item 12, col. 1, lines 61-67, and col. 8, lines 54-66.

As per claims 11 and 13, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Yokota further discloses a machine-readable medium including machine readable instructions that if executed by a computer system, cause the computer to perform the method of claim 1 (See Yokota col. 13, lines 29-52), and the step of downloading the image is suggested when the user receives information from the Internet (See col. 1, lines 49-60, col. 7, lines 6-13, and col. 10, lines 56-65), and Yokota further suggests converting from a first format to another format (See Yokota col. 7, lines 52-55).

As per claim 17, most of the limitations of this claim have been noted in the above rejection of claim 1. In addition, Yokota further provides an input component to receive

Art Unit: 2613

multimedia data and storing the multimedia data in a memory (See Yokota Web server 40 of fig. 1, and col. 7, lines 29-33).

As per claims 2, 9, Yokota further provides an inherent lens with a digital camera or a video camera, and the image is a still or video image (See Yokota camera 12 of fig. 2, and col. 7, lines 34-55).

As per claims 3-6, 8, 12, 14, and 19-20, most of the limitations of these claims have been noted in the above rejection of claim 1. In addition, Yokota further provides a locator with a global positioning system (See fig. 1, GPS satellite 9), an indication of a latitude and longitude (See col. 7, lines 1-13), a distance determining component (See col. 8, lines 7-25).

As per claims 7 and 9, Yokota provides the option to press a button as the triggering event to take a picture (See col. 7, lines 65-67, col. 8, lines 1-6, and col. 9, lines 36-52).

As per claim 15, most of the limitations of this claim have been noted in the above rejection of claim 1. In addition, Yokota further discloses accessing a remotely located server via an internet, and converting latitude and longitude information into nomenclature information (See Yokota col. 1, lines 49-60, col. 7, lines 1-13, and lines 34-44).

Art Unit: 2613

As per claim 16, since Yokota provides a nomenclature including a building name, providing a city name is considered within the scope of the prior art (See Yokota col. 7, lines 14-44, col. 1, lines 49-67 and col. 2, lines 1-11).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dietz (US Patent no. 6591068) teaches method and apparatus for automatic image capture.

Sullivan (US Patent no. 5953528) teaches knowledge object registration.


Obradovich (US Patent no. 6525768) teaches positional camera and GPS data interchange device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2613

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gims S Philippe
Primary Examiner
Art Unit 2613

GPS

October 29, 2004